

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

BOSTON REDEVELOPMENT AUTHORITY

ORDER OF TAKING

WHEREAS, the Boston Redevelopment Authority, a public body politic and corporate, duly organized and existing pursuant to the provisions of the Housing Authority Law of the Commonwealth of Massachusetts (appearing in Massachusetts General Laws (Ter. Ed.) Chapter 121, as amended) and having its principal office in Boston, Suffolk County, Massachusetts, in pursuance of its powers as set out in said Housing Authority Law and every other power thereunto enabling, determined that the area or areas hereinafter described within the City of Boston constitute a substandard and decadent area as defined in section 26J of the Housing Authority Law, and further determined in accordance with sections 26KK and 26ZZ of said Law and all other powers granted by said Chapter 121 that a project for the assembly and renewal of said area, hereinafter called the "Downtown Waterfront-Faneuil Hall Project Area," described in Annex A," ought to be undertaken in said City; and

WHEREAS, on April 24, 1964, the Redevelopment Authority approved and adopted an Urban Renewal Plan, as defined in said section 121, for the renewal of said area, said plan being entitled, "Downtown Waterfront-Faneuil Hall Urban Renewal Plan"; and

WHEREAS, the Authority acting as the Planning Board of said City, the City Council of said City and the Department of Commerce and Development, Division of Urban Renewal, have severally approved said Renewal Plan and project and made appropriate findings in connection therewith, all in accordance with the provisions of law; and

WHEREAS, the City of Boston and said Redevelopment Authority have entered into an agreement, dated June 24, 1964, and entitled, "Cooperation Agreement," providing among other things for a contribution by said City in connection with the carrying out and completion of said Urban Renewal Plan; and

WHEREAS, public hearings on said Urban Renewal Plan and Downtown Waterfront-Faneuil Hall Project have been held, after due notice, including public hearings by the said Redevelopment Authority; and

WHEREAS, the Boston Redevelopment Authority, with the written approval of the Mayor of the City of Boston and the State Housing Board, has entered into a Loan and Grant Contract, dated January 18, 1965, with the Housing and Home Finance Agency under Title I of the Housing Act of 1949, as amended, providing for Federal financial assistance in connection with the carrying out and execution of said Urban Renewal Plan; and

WHEREAS, the Redevelopment Authority has determined that the taking in fee simple by eminent domain of said area, as hereinafter described, is necessary and reasonably required to carry out the purposes of the Housing Authority Law and said Urban Renewal Plan; and

WHEREAS, the Redevelopment Authority in accordance with the provisions of section 26P, subparagraph (b), of said Housing Authority Law had deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by General Laws (Ter. Ed.) Chapter 79, section 40.

NOW, THEREFORE, ORDERED that the Boston Redevelopment Authority, acting under the provisions of the Housing Authority Law and without limiting the generality of the foregoing, of section 26P, sub-

paragraph (b), of General Laws (Ter. Ed.) Chapter 121, and all other authority thereunto enabling, and pursuant to the applicable provisions of General Laws (Ter. Ed.) Chapter 79, and of any and every other power and authority to it, granted or implied, hereby takes for itself in fee simple by eminent domain for the purposes hereinbefore set forth, the area or areas located in the City of Boston as hereinafter described, including all parcels of land therein, together with any and all easements and rights appurtenant thereto, including the trees, buildings and other structures standing upon or affixed thereto, and including the fee to the center of any and all public streets, highways and public ways, contiguous and adjacent to said area or areas, except any and all easements of travel in and to any and all public streets, highways, and public ways in said area or areas or contiguous and adjacent thereto, being bounded and described in Annex B attached hereto and made a part hereof as though incorporated herein in full and being shown on a plan drawn by Whitman & Howard, Inc., Engineers, Boston, Massachusetts, which sheets are respectively entitled, "Property Line Map, Downtown Waterfront-Faneuil Hall Area, Mass. R-77, Plans Nos. P-1, P-2, P-3, P-4 and P-5."

AND FURTHER ORDERED that in accordance with the provisions of the General Laws, Chapter 79, Section 6, as amended, awards are by the the BOSTON REDEVELOPMENT AUTHORITY for damages sustained by the owner, or owners and all other persons including all mortgagees of record having any and all interest in each parcel of the areas described in "Annex B" and entitled to any damages by reason of the taking hereby made; the word, "Parcel" as herein used being construed to mean any contiguous tract of land in the same ownership, whether or not such tract consists of one or more platted lots or a fractional part thereof. The Boston Redevelopment Authority reserves the right to amend the award at any time prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor

has become vested or for other good cause shown. The awards hereby made are set forth in "Annex C" which Annex C is not to be recorded in the Registry of Deeds with this Order of Taking.

AND FURTHER ORDERED that the Secretary of the Boston Redevelopment Authority cause this instrument of Taking to be recorded in the office of the Suffolk County Registry of Deeds and the Land Registration Section in Boston, Massachusetts.

IN WITNESS WHEREOF, we, the following members of the Boston Redevelopment Authority have caused the corporate seal of the Authority to be hereto affixed and these presents to be signed in the name and behalf of the Boston Redevelopment Authority.

Dated: FEB 3 1966

BOSTON REDEVELOPMENT AUTHORITY

By:

ATTEST:

Secretary of the Boston Redevelopment Authority

ANNEX A

DOWNTOWN WATERFRONT FANEUIL HALL URBAN
RENEWAL AREA

PROJECT AREA DESCRIPTION

The Downtown Waterfront Faneuil Hall Urban Renewal Area is bounded and described as follows:

Beginning at the intersection of the westerly U. S. Pierhead Line of the Fort Point Channel and the Southwesterly sideline of Northern Avenue Bridge and running northwesterly by the southwesterly sideline of Northern Avenue Bridge and of Northern Avenue and of Northern Avenue extended to the northwesterly sideline of the Fitzgerald Expressway;

thence turning and running northeasterly, northerly and northwesterly by the northwesterly, westerly and southwesterly sidelines of the Fitzgerald Expressway to the southwesterly sideline of Well Street;

thence turning and running northwesterly by the southwesterly sideline of Well Street to the northwesterly sideline of Custom House Street;

thence turning and running northeasterly by the northwesterly sideline of Custom House Street to the southwesterly property line extended of 37 India Street, thence turning and running northwesterly by the southwesterly property line extended and the southwesterly property line of 37 India Street to the northwesterly property line of 37 India Street, thence turning and running northeasterly by the northwesterly property line of 37 India Street and the northwesterly property line extended to the southwesterly sideline of India Street;

thence turning and running northwesterly by the southwesterly sideline of India Street to the southeasterly sideline of State Street;

thence turning and running westerly by the southeasterly sideline of State Street to the easterly sideline of Change Avenue extended;

thence turning and running northerly along the extended easterly sideline and the easterly sideline of Change Avenue to the northerly property line of the property known as 60 State Street;

thence turning and running in an easterly direction by various courses and distances along the northerly property line of said 60 State Street and continuing easterly along the northerly property line of the property known as 80 State Street and the last said property line extended in an easterly direction to the easterly sideline of Merchants Row;

thence turning and running northerly along the extended easterly sideline of Merchants Row to the southerly property line of the property known as 1 South Market Street, which is also the northerly sideline of Chatham Street;

thence turning and running westerly along the southerly property line of said 1 South Market Street to the easterly sideline of Merchants Row;

thence turning and running northerly along the westerly property line of said 1 South Market Street, which is also the easterly sideline and extended easterly sideline of Merchants Row, to an intersection with the extended southerly property line of the property known as Faneuil Hall;

thence turning and running westerly by the southerly property line of Faneuil Hall extended and by the southerly property line of Faneuil Hall to the westerly property line of Faneuil Hall;

thence turning and running northerly by the westerly property line of Faneuil Hall and the westerly property line of Faneuil Hall extended to the northwesterly sideline of North Street;

thence turning and running in a southwesterly direction by the northwesterly sideline of North Street to the easterly sideline of Union Street;

thence turning and running northerly by the easterly sideline
of Union Street to the southeasterly sideline of Hanover Street;

thence turning and running northeasterly along the southeasterly
sideline of Hanover Street to the northeasterly sideline of Blackstone
Street;

thence turning and running southeasterly by the northeasterly
sideline of Blackstone Street to the northwesterly sideline of North
Street;

thence turning and running in a northeasterly direction in a
straight line to the end of the southeasterly side of the southeasterly
wall of the Callahan Tunnel;

thence running northeasterly by the southeasterly side of the
southeasterly wall of the Callahan Tunnel and running northeasterly by
the southeasterly side of the southeasterly wall of the Callahan Tunnel
extended above ground to the northeasterly sideline of Richmond Street;

thence turning and running southeasterly along the northeasterly
sideline of Richmond Street to the northwesterly sideline of Fulton
Street;

thence turning and running northeasterly by the northwesterly
sideline of Fulton Street to the northeasterly sideline of Lewis Street;

thence turning and running southeasterly by the northeasterly
sideline of Lewis Street to the northwesterly sideline of Commercial
Street;

thence turning and running northeasterly, northerly and north-
westerly along the northwesterly, westerly and southwesterly sidelines
of Commercial Street to the northwesterly sideline of Hanover Street;

thence turning and running northeasterly by the northwesterly
sideline of Hanover Street to the southwesterly property line of the U. S.
Coast Guard Base;

thence turning and running southeasterly by the southwesterly property line of the U. S. Coast Guard Base to the southeasterly property line of the U. S. Coast Guard Base;

thence turning and running northeasterly by the southeasterly property line of the U. S. Coast Guard Base and by such southeasterly property line extended to the U. S. Pierhead Line;

thence turning and running southeasterly and southerly by the U. S. Pierhead Line to the point where said Pierhead Line swings from a southerly to a southwesterly direction;

thence turning and running southwesterly in a straight line to the point of beginning.

ANNEX B

BOSTON REDEVELOPMENT AUTHORITY

DOWNTOWN WATERFRONT-FANEUIL HALL URBAN
RENEWAL AREA

TAKING AREA DESCRIPTION

The following parcels of land are the only parcels taken
by this Order of Taking:

<u>Plan No.</u>	<u>Block</u>	<u>Parcel</u>
P-4	80	1
P-4	80	12
P-4	80	13
P-4	80	16
P-4	80	17
P-4	80	18
P-4	80	19
P-4	81	1
P-4	81	9
P-4	81	10
P-4	81	11
P-4	81	14
P-4	81	21
P-4	81	23
P-5	85	1
P-5	85	3
P-4	86	4
P-5	87	1
P-3	91	13
P-3	91	14
P-3	91	15
P-3	91	16
P-3	91	18
P-3	91	19
P-3	91	20

<u>Plan No.</u>	<u>Block</u>	<u>Parcel</u>
P-3	91	21
P-3	99	2
P-3	99	3
P-3	99	4
P-3	99	8
P-3	99	10
P-3	99	17
P-3	103A	3
P-3	103A	4
P-5	104 1/4	1
P-4	74	1
P-4	74	5
P-4	74	7
P-3	88A	3

There is included within the above parcels the following parcel of registered land:

REGISTERED LAND PARCEL WITHIN TAKEN AREA

Address: 1 and 2 North Market Street
Certificate No.: 17837, Suffolk Land Registration,
 Book 85, Page 37
Owner: York and Whitney Company
Purpose of Taking: Urban Renewal Area

SUPPOSED OWNERS

The supposed owners of the parcels of land hereby taken are as follows:

<u>Street Address</u>	<u>Supposed Owners</u>
70-72 Commercial St.	Mary Tavilla
110-112 Commercial St.	Giovanni DeMichaelis
106-108 Commercial St.	Frank V. & Leonardo Cipriano
94-96 Commercial St.	Alfonso V. Spagnuolo and Frank Bacigalupo
90-92 Commercial Street	Michael A. Sarno and Nunzante DiMarino
82-88 Commercial Street	Anthony J. Sarno, et ux
74-80 Commercial Street	Bessie Sheff and Joseph Unbro
126-144 Commercial Street	Shaghalian's, Incorporated
174-176 Commercial Street	Family Fruit Company, Inc.
153-155 Fulton Street	John Carpenito, et al
178-184 Commercial Street	John Carpenito, et al d/b/a Yankee Tomato Company
169-171 Fulton Street and 194-196 Commercial Street	Boston Celery Company, Inc.
154-156 Commercial Street	Rosario Campo, et al
146-148 Commercial Street	Peter Condakes
3-7 Richmond Street	Mercantile Wharf Corporation
15-31 Richmond Street	Mercantile Wharf Corporation
95-97 Commercial Street	Mary Ferrera
84-124 Clinton Street and 141-145 Atlantic Avenue	Mercantile Wharf Corporation
19-20 No. Market Street	Daniel S. Roberts
17-18 No. Market Street	Joseph A. and Arthur R. Novelline
15-16 No. Market Street	Colley-Woods Company
13-14 No. Market Street	Cavallaro Realty, Inc.
9-10 No. Market Street	Dominic Gattuso

<u>Street Address</u>	<u>Supposed Owners</u>
7-8 No. Market Street	James R. Oliver, Trustee
5-6 No. Market Street	Morris Kaplan, Trustee M.E.J. Realty Trust
1-4 No. Market Street	York & Whitney Company
4-5 So. Market Street	Joseph Cameron & John Cerasudo
6-7 So. Market Street	Stacey and Vassalo Fruit Co., Inc.
8-9 So. Market Street	Lawrence P. Dakin, et ux
21-23 So. Market Street	Bernard C. and Celia Rodney
26-31 So. Market Street	Harry Diamond, Trustee of Diamond Realty Trust
47-48 So. Market Street	Paul McKeever
3-7 Commercial Street	Harry Freedman, Trustee L & H Realty Trust
9-13 Commercial Street	Robert Waldman, Trustee WEN-KAR Realty Trust
108-148 Atlantic Avenue	Mercantile Wharf Corporation
56-58 Fulton Street and 5-7 Ferry Street	Christies Meneades
25-27 Ferry Street	Joseph Dragone
7-8 Fulton Place	Estate of Charles Cuneo
27-29 Commercial Street	Roger E. Mills

The names of owners herein listed as supposed owners, although supposed to be correct, are such only as matter of information, opinion and belief and are listed for informational purposes only.

END

- NOTE: 1) Plans Nos. P-1, P-2, P-3 and P-4 are recorded at Suffolk Registry of Deeds, Book 7929, page 440.
- 2) Plan No. P-5 is recorded at Suffolk Registry of Deeds, Book 7956, page 647.

ANNEX C

BOSTON REDEVELOPMENT AUTHORITY

DOWNTOWN WATERFRONT-FANEUIL HALL PROJECT
URBAN RENEWAL AREA

AWARD OF DAMAGES

Awards for ORDER OF TAKING dated FEB 3 1966

are as follows:

<u>Plan</u>	<u>Block</u>	<u>Parcel</u>	<u>Damages Awarded</u>
P-4	80	1	\$ 34,000
P-4	80	12	17,700
P-4	80	13	18,200
P-4	80	16	11,900
P-4	80	17	20,000
P-4	80	18	40,000
P-4	80	19	40,000
P-4	81	1	40,000
P-4	81	9	26,000
P-4	81	10	7,000
P-4	81	11	38,000
P-4	81	14	24,000
P-4	81	21	34,000
P-4	81	23	20,000
P-5	85	1	28,800
P-5	85	3	72,000
P-4	86	4	30,500
P-5	87	1	650,000
P-3	91	13	19,300
P-3	91	14	24,000
P-3	91	15	26,400
P-3	91	16	26,000
P-3	91	18	28,000
P-3	91	19	26,500
P-3	91	20	26,700

<u>Plan</u>	<u>Block</u>	<u>Parcel</u>	<u>Damages Awarded</u>
P-3	91	21	\$ 67,000
P-3	99	2	28,500
P-3	99	3	28,000
P-3	99	4	30,000
P-3	99	8	29,000
P-3	99	10	69,000
P-3	99	17	26,000
P-3	103A	3	98,000
P-3	103A	4	60,000
P-5	104 1/4	1	160,000